

AN ACT to amend Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 124 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, and all other acts amendatory thereto, relative to the Charter of the City of Manchester.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 273 of the Private Acts of 1959, as amended by Chapter 241 of the Private Acts of 1961, Chapter 51 of the Private Acts of 1979, Chapter 124 of the Private Acts of 1983, Chapter 41 of the Private Acts of 1987, and all other acts amendatory thereto, is amended by deleting the first sentence in Section 8, and substituting instead the following:

Be it further enacted, that the city government shall be organized into such departments as the Board thinks is in the best interests of the city. The Board by ordinance may establish, abolish, merge or consolidate offices, positions of employment, departments and agencies of the city, may provide that the same person shall fill any number of offices and positions of employment, may transfer or change the functions and duties of offices, positions of employment, departments and agencies of the city as the Board may deem is in the best interests of the city, and

SECTION 2. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the fifth sentence in Section 8 the words "and they shall be subject to removal for the same causes and in the same manner as the Mayor and Aldermen".

SECTION 3. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the seventh sentence in Section 8 the words and punctuation "Except as

specifically provided in this Act, terms of office shall not exceed two years, and offices may be created whereby the officer shall serve at the will of the Board.”

and by substituting instead the following:

All officers of the City shall serve at the will of the Board and may be removed by the majority vote of the entire membership of the Board; provided, however, that an officer may not be removed within twelve (12) months from the date on which he assumed his duties, except for incompetence, malfeasance, misfeasance, or neglect of duty. In case of removal within that period, he may demand written charges and a public hearing thereon before the Board of Mayor and Aldermen prior to the date on which his final removal shall take effect; but the decision and action of the Board on such hearing shall be final, and pending such hearing, the Board may suspend him from duty. Other offices may be created by Ordinance whereby the officer also shall serve at the will of the Board.

SECTION 4. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence of the first paragraph of Section 9 the words and punctuation “terminated only as allowed by other sections of this charter; however, he shall be evaluated by the Board of Mayor and Aldermen in June of each year.” and by substituting instead the following:

shall serve at the will of the Board.

SECTION 5. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence in the first paragraph of Section 10 the words and punctuation “terminated only as allowed by other sections of this charter; however, he shall be evaluated by the Safety Committee in December and June of each year.” and by substituting instead the following:

shall serve at the will of the Board.

SECTION 6. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence in the first paragraph of Section 11 the words and

punctuation “terminated only as allowed by other sections of this charter; however, he shall be evaluated by the Board of Mayor and Aldermen in December and June of each year.” and by substituting instead the following:

shall serve at the will of the Board.

SECTION 7. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence in the first paragraph of Section 12 the words and punctuation “terminated only as allowed by other sections of this charter; however, he shall be evaluated by the Street Committee in December and June of each year.” and by substituting instead the following:

shall serve at the will of the Board.

SECTION 8. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence in the first paragraph of Section 13 the words and punctuation “terminated only as allowed by other sections of this charter; however, he shall be evaluated by the Safety Committee in December and June of each year.” and by substituting instead the following:

shall serve at the will of the Board.

SECTION 9. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence in the first paragraph of Section 14 the words and punctuation “terminated only as allowed by other sections of this charter; however, he shall be evaluated by the Recreation Commission in December and June of each year.” and by substituting instead the following:

shall serve at the will of the Board.

SECTION 10. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence in the first paragraph of Section 15 the words and punctuation “terminated only as allowed by other sections of this charter; however he shall be evaluated by the Water and Sewer Commission in December and June of each year.” and by substituting instead the following:

shall serve at the will of the Board.

SECTION 11. Chapter 273 of the Private Acts of 1959, as amended, is further amended by deleting from the second sentence in the first paragraph of Section 16 the words and punctuation "terminated only as allowed by other sections of this charter; however he shall be evaluated by the Board of Mayor and Aldermen in June of each year." and by substituting instead the following:

shall serve at the will of the Board.

SECTION 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the City of Manchester. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Manchester and certified to the secretary of state.

SECTION 13. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 12.